

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

UNITED STATES OF AMERICA,	*	Docket No. 02-20116
Plaintiff,	*	
	*	
VS	*	April 10, 2003
	*	
ROBERT ALAN DARTEZ, ET AL,	*	
Defendants.	*	Lafayette, Louisiana

REPORTER'S OFFICIAL TRANSCRIPT OF THE
COURT'S COMMENTS PRIOR TO SENTENCING
BY THE HONORABLE TUCKER L. MELANCON,
UNITED STATES DISTRICT JUDGE.

REPORTED BY: LaRae Bourque, RPR, CRR
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COPY

APPEARANCES:

For the United States of America:	MR. JAMES T. MCMANUS 800 Lafayette Street Suite 2200 Lafayette, LA 70501
	MS. JACQUELINE SPRATT U.S. Dept. of Justice Washington, D.C.
For Robert Alan Dartez:	MR. DAVID L. WALLACE P.O. Box 489 DeRidder, LA 70634
For David A. Fuselier:	MR. GERALD J. BLOCK P.O. Box 53506 Lafayette, LA 70505
For Christopher Hammer:	MR. G. PAUL MARX P.O. Drawer 82389 Lafayette, LA 70502
For Samuel J. Trahan:	MR. LESTER GAUTHIER P.O. Box 3371 Lafayette, LA 70502
For Berry L. Harris:	MR. DANIEL STANFORD P.O. Drawer 751 Eunice, LA 70535

P R O C E E D I N G S

(Call to order of the court.)

THE COURT: You may be seated.

Before imposing sentences in these related cases, I feel compelled as a United States Judge, as an American, to comment on what has taken place. It has not been my practice in the nine plus years that I have been a United States Judge, and it is certainly not my intention today, to pile on when a defendant has his or her day of reckoning and I have to sentence him or her to serve time in a federal penitentiary. However, because of the conduct that these defendants have admitted to in burning a cross in an effort to drive three African-Americans from their home because they were black, and their memberships in the American Invisible Empire, Knights of the Ku Klux Klan, I cannot remain silent.

It may be as Defendant Fuselier said at a preliminary proceeding in his case, that these five defendants were just a "bunch of drunk rednecks;" or it may be as others have suggested, the five were just "dumb as a bag of hammers." For what they have admitted doing and why they did it and the sentences that I will impose, it really doesn't matter which, if either, characterization is correct.

This Court believes, based on the defendants'

1 admitted membership in the American Invisible Empire,
2 Knights of the Ku Klux Klan, as well as the admissions made
3 by each of them when the Court accepted their guilty pleas,
4 and the information contained in the presentence reports
5 that were prepared on each defendant, that these five
6 defendants are domestic terrorists; that they are just as
7 much a threat to the United States as are the foreign
8 terrorists that our government has been battling since
9 September 11, 2001. While foreign terrorists would kill our
10 bodies and destroy our buildings, The American Invisible
11 Empire and the Ku Klux Klan, and what they stand for and the
12 type of conduct these defendants engaged in to rid
13 themselves of their black neighbors, attacks our Nation's
14 very soul.

15 The hate-mongers that these defendants belong to,
16 the Ku Klux Klan, has a long and sordid history since its
17 founding in 1866. This band of criminals formed primarily
18 for, but not limited to, the South for the purpose of
19 intimidating, threatening, creating mayhem, and murdering
20 African-Americans, Roman Catholics, Jews, and immigrants
21 had -- and have -- a complete intolerance for anyone who is
22 different from them in beliefs, nationality, ethnicity, or
23 religion.

24 Justice Clarence Thomas in a quote in his
25 dissenting opinion in Virginia vs. Black, the cross burning

1 case that the United States Supreme Court decided this past
2 Monday summed up this outlaw organization past and present
3 most accurately as follows:

4 "The world's oldest, most persistent terrorist
5 organization is not European or even Middle Eastern
6 in origin. Fifty years before the Irish Republican
7 Army was organized, a century before Al Fatah
8 declared its holy war...the Ku Klux Klan was actively
9 harassing, torturing, and murdering in the United
10 States. Today...its members remain fanatically
11 committed to a course of violent opposition to social
12 progress and racial equality in the United States."

13 We in this country have a terrible history when it
14 comes to race. While slavery and discrimination in public
15 accommodations and in education have long since been made
16 illegal, no law can be passed by the Congress and no ruling
17 can be made by the United States Supreme Court that will
18 change the hearts of the men and women who live here. As we
19 fight a war against terrorism abroad, the war against those
20 at home who would deny equal opportunity to our fellow
21 Americans simply because of the color of their skin -- the
22 domestic terrorists -- must go on.

23 I would like to thank United States Attorney Don
24 Washington, the chief federal law enforcement officer for
25 the Western District of Louisiana, the 42 parishes that lie
to the west of the Mississippi River, with all the burdens
that have been placed on him and his office since

1 September 11, 2001, for bringing this case. I invite and
2 encourage him to bring many more such cases to court so that
3 we can rid ourselves of these vermin, these cluckers, and
4 finally put our past in the past.

5 My thanks to Mr. Washington's assistant, Mr. Jim
6 McManus, and to Ms. Jacqueline Spratt, trial attorney for
7 the Department of Justice from Washington, D.C., for the
8 manner in which they prosecuted these cases. Ms. Spratt,
9 please extend my thanks to Attorney General John Ashcroft
10 and Deputy Attorney General for Civil Rights Ralph Boyd for
11 the amount of resources that the United States has dedicated
12 to this prosecution.

13 Last, but certainly not least, I would like to
14 thank the Federal Bureau of Investigation, the FBI, for
15 their fine work in investigating these cases and bringing
16 these criminals to justice. Good job.

17 It doesn't escape me that as our country enters
18 the third week of war in Iraq, as of yesterday, based on
19 information provided by the Pentagon, 101 of our servicemen
20 and women have been killed, a significant number of whom
21 were African-American.

22 There is a song from the Broadway musical and
23 movie *South Pacific* that I saw as a young child that has
24 stayed with me. It is entitled "You've Got to be Carefully
25 Taught," and the lyrics read like this:

1 You've got to be taught to hate and fear.
2 You've got to be taught from year to year.
3 It's got to be drummed in your dear little ear.
4 You've got to be carefully taught.

5 You've got to be taught to be afraid
6 of people whose eyes are oddly made,
7 and people whose skin is a different shade.
8 You've got to be carefully taught.

9 You've got to be taught
10 before it's too late,
11 before you are six or seven or eight,
12 to hate all the people your relatives hate.
13 You've got to be carefully taught.

14 I don't know what it is in your histories,
15 Mr. Dartez, Mr. Fuselier, Mr. Hammer, Mr. Trahan, and
16 Mr. Harris, your families or your community or both, that
17 made you think that it was okay to hate people because of
18 the color of their skin, but the conduct that each of you
19 has admitted to cannot -- and will not -- be tolerated in
20 the United States of America in 2003.

21 I recently saw an interview with Alice Walker, the
22 great American author and poet who wrote *The Color Purple*
23 who happens to be an African-American born in 1944, two
24 years before I was. Ms. Walker was asked what it was like
25 to grow up in Georgia in the 1950s and the 1960s, how she
26 was able to tolerate her life in the segregated South and
27 the cruelty that black people had to endure along with the
28 lynchings that were commonplace at that time. Ms. Walker

replied that her mother, who was a domestic worker, and her father, who was a sharecropper, had taught her that all white people were not evil; and that those white people who were treating black people so badly, "if they knew better, they would do better."

At your ages -- Mr. Dartez, 28, Mr. Fuselier, 32, Mr. Hammer, 22, Mr. Trahan, 24, and Mr. Harris, 22 -- and the opportunities that this country has given each of you, there can be no excuse -- none -- absolutely none -- for you not to have known better. Each of you should not only be sorry for what you did, you should be ashamed.

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION


UNITED STATES OF AMERICA
vs
DOCKET NUMBER
02-20116

ROBERT A. FUSELIER, ET AL

CERTIFICATE OF REPORTER

I, LaRae Bourque, Official Court Reporter for the
United States District Court, Western District of Louisiana,
do hereby certify that the foregoing 8 pages are a true and
accurate transcript of the proceedings had in this matter,
as hereabove set forth, and that I have no interest of any
nature whatsoever regarding the ultimate disposition of this
litigation.

I further certify that the transcript fees and format
comply with those prescribed by the Court and the Judicial
Conference of the United States.



LARAE BOURQUE, RPR, CRR
Official Court Reporter